

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Yoji FURUYA

Serial No. : 09/825,718 **Group Art Unit** : 3625

Filed : April 4, 2001 **Examiner** : Pond

For : *COMMUNICATION SYSTEM, OUTPUT DEVICE AND
INFORMATION PROCESSING DEVICE*

AMENDMENT AND REQUEST FOR RECONSIDERATION
(37 C.F.R. § 1.111)

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment and Request for Reconsideration is submitted in response to an outstanding Office Action dated April 27, 2006.

The claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims:

1-48. (cancelled)

49. (currently amended) A communication system capable of outputting printing image data selected by ~~an information processing a user~~ device on a user side from image data to be supplied from ~~an information processing a supplier~~ device on a supplier side, comprising:

a printer, which includes:

~~an output device including~~ first connection means for connecting to ~~an information processing said user device; on a user side,~~

second connection means for connecting to ~~an information processing said supplier device on a supplier side,~~ via the Internet;

request reception means for receiving ~~a request~~ transaction data from said ~~information processing user device on the user side~~ via said first connection means;

data reception means for receiving image data according to ~~said request received by said request reception means~~ the transaction data from ~~said information processing device on the supplier side~~ via said second connection means; and

output printing means for ~~outputting printing~~ the image data received by said data reception means; ~~and,~~

wherein said user device includes:

sending means for sending the identification of image data to the supplier device via the Internet; and

response reception means for receiving the transaction data, which includes the identification of image data, from the supplier side, and

wherein said ~~information processing supplier~~ device ~~on a supplier side including~~ includes:

~~determination means for determining whether a type of the output device which transmits a data request by data request transmission means is a type that can prevent illegal data receiving by a user, and a controller for controlling the transmission of the data to said output device in accordance with the determination by said determination means~~ the model of said printer can guarantee safety of the image data; and

data transmission means for transmitting the image data to said printer, if the determination by said determination means indicates the safety.

50. (currently amended) The communication system according to Claim 49, wherein said ~~output device~~ printer including:

transmission means for sending, to said ~~information processing supplier~~ device ~~on the supplier side~~, charge information in response to said output by of said output printing means.

51. (currently amended) The communication system according to Claim 49, wherein said ~~output device~~ printer including;

charge information storage means for storing said charge information; and

deletion means for deleting said charge information from said charge information storage means after having sent said charge information to said ~~information processing~~ supplier device ~~on the supplier side~~ in case that a power-off operation of said ~~output device~~ printer has been detected.

52. (currently amended) The communication system according to Claim 49, wherein said ~~output device~~ printer including:

data storage means for storing the image data received by said data reception means;

deletion means for deleting said image data from said ~~data~~ storage means in case that the image data has been stored in said storage means for a predetermined time, or in case that the power-off operation of said ~~output device~~ printer has been detected.

53. (currently amended) The communication system according to Claim 49, further comprising:

~~an information processing~~ a management device on a manager side including management means for registering and managing said ~~output device~~ printer;

wherein said determination means determines if said ~~output device~~ printer has been registered by said management means.

54. (cancelled).

55. (currently amended) A control method for controlling ~~an information~~

processing a supplier device on a supplier side that supplies image data, comprising:

a determination step for determining whether a ~~type of a output device requesting~~
~~by data request transmission means, the transmission of data selected by an information~~
~~processing device on the user side based on product data including information on the data~~
~~selected by said information processing device on the user side is a type that can prevent illegal~~
~~data receiving by a user~~ model of a printer can guarantee safety of the image data; and

a control step for controlling the transmission of the data to said output device in
accordance with the ~~determination in said determination step~~; a data transmission step of
transmitting the image data to said printer, if the determination of said determining step indicates
the safety,

wherein said ~~output device~~ printer includes:

first connection means for connecting to the ~~information processing~~ a user device
on a user side;

second connection means for connecting to the ~~information processing~~ said
supplier device on a supplier side, via the Internet;

request reception means for receiving a ~~request~~ transaction data from said
~~information processing~~ user device on the ~~user~~ side via said first connection means;

notification means for notifying said supplier device of the transaction data and
the model of said printer via said second connection means;

data reception means for receiving image data according to ~~said request received~~
~~by said request reception means~~ the transaction data, which includes the identification of image
data, from ~~said information processing device~~ on the supplier side via said second connection
means; and

~~output~~ printing means for ~~outputting~~ printing the image data received by said data reception means.

56. (cancelled).

REMARKS

This Request for Reconsideration is submitted in response to an outstanding Office Action dated April 27, 2006, the shortened **three month** statutory period for response set to expire on July 27, 2006. Accordingly, no Extension of time is believed necessary. In the event that the Commissioner determines an extension of time or fee is due, applicants hereby petition for such extension of time, and authorize the Commissioner to charge any required fee to the Milbank deposit account number 13-3250.

I. Status of the Claims

Please cancel claims 54 and 56 without prejudice, and amend claims 49-53 and 55 as provided above. Claims 49-53 and 55 are now pending in the application. Claims 49 and 55 are independent claims.

Applicants acknowledge the Examiner's citation of statutory authority as a basis for claim rejections.

II. Office Action Summary

In an Office Action mailed April 27, 2006, the Examiner has rejected pending claims 49-56. Claims 49, 50 and 53-56 are rejected under 35 U.S.C. § 103(a) over Chihara in view of Machine Design, and further in view of Melvin. Claims 51 and 52 are rejected under 35 U.S.C. § 103(a) over Chihara, Machine Design, of Melvin and further in view of Rager.

Claims 49-53 and 55 are amended, with claim 49 reciting a communication system capable of printing image data selected by a user device on a user side from image data to be supplied from a supplier device on a supplier side, comprising: a printer, which includes: first connection means for connecting to said user device; second connection means for connecting to said supplier device via the Internet; request reception means for receiving transaction data from

said user device via said first connection means; data reception means for receiving image data according to the transaction data from the supplier side via said second connection means; and printing means for printing the image data received by said data reception means, wherein said user device includes: sending means for sending the identification of image data to the supplier device via the Internet; and response reception means for receiving the transaction data, which includes the identification of image data, from the supplier side, and wherein said supplier device includes: determination means for determining whether the model of said printer can guarantee safety of the image data; and data transmission means for transmitting the image data to said printer, if the determination by said determination means indicates the safety.

In particular, independent claim 49 has been amended to clearly recite that a communication system of the present invention, which includes a user device on a user side and a supplier device on a supplier side to print image data selected by the user device from image data to be supplied from the supplier device, includes a printer and is arranged so that the user device requests the supplier device image data to receive therefrom transaction data including identification of image data and transmit the received transaction data to the printer via a first transmission path, the printer obtains image data from the supplier device via a second transmission path on the basis of the transaction data, and the supplier device determines whether a model of the printer can guarantee safety of the image data, to transmit the image data to the printer if the determination result indicates the safety. According to this feature of the present invention, it can be attained to transmit data requested by the user device directly to the printer which can guarantee safety of the image data, thereby preventing image data from being illegally altered.

The above-described feature of the present invention is not taught from each of

the cited references of Chihara, Machine Design, Melvin and Rager. The reference of Chihara merely discloses that a printer 2 connects to a higher rank device 3. The higher rank device 3 connects to a network 110, while the printer is not arranged to connect to the network 110. Thus, in the reference of Chihara, data is always transmitted to the printer 2 via the higher rank device 3 of the upper layer, and therefore there is possibility that the higher rank device 3 alters illegally the transmitted data. That is, this reference of Chihara fails to teach that a supplier device determines whether a model of a printer can guarantee safety of image data, to transmit the image data to the printer if the determination result indicates the safety. The reference of Machine Design merely discloses that a printer is connected with the Internet to receive a print job, and the reference of Melvin merely discloses that a printer can print image data provided from a web site. However, each of those references also fails to teach that the supplier device determines whether a model of the printer can guarantee safety of the image data, to transmit the image data to the printer if the determination result indicates the safety. The reference of Rager merely discloses to delete a cipher key information from a memory when an electric power of a device is shut down but also fails to teach the feature of the supplier device recited in the amended independent claim 49.

In view of the foregoing, the cited references of Chihara, Machine Design, Melvin and Rager, even when each taken alone or in combination, do not teach the present invention recited in the amended independent claim 49.

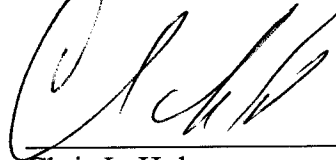
Independent claim 55 recites a control method suitable for use with the supplier device recited in independent claim 49 and claim 55 has been now amended in a manner similar to amended independent claim 49. The invention of the amended claim 55 therefore is not also taught from each of the cited references of Chihara, Machine Design, Melvin and Rager and

combination thereof.

III. Request for Reconsideration

Applicants respectfully submit that the claims of this application are in condition for allowance. Accordingly, reconsideration of the rejection and allowance is requested. If a conference would assist in placing this application in better condition for allowance, the undersigned would appreciate a telephone call at the number indicated.

Respectfully submitted,
Milbank, Tweed, Hadley & McCloy LLP



Chris L. Holm
Reg. No.: 39,227

July 21, 2006

Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005
(212) 530-5000 / (212) 530-5219 (facsimile)